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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2070 OF 2007

Dalal Brothers Freight Forwarders Pvt.Ltd. Petitioner

versus

The Transport and Dock Workers Union and others Respondents

Leiroy and Sanchari Nandi i/by Yusuf & Associates for petitioner.

Mr.S.M.Dharap a/w Neel Helekar for respondent no.1.

CORAM : A.M.KHANWILKAR, J.

DATE : 19th November 2007

PC :

1. My attention is invited to orders dated 01st October 2007 and 29th October 2007. I am in agreement with the argument advanced on behalf of respondents that the writ petition stands dismissed on account of self operative conditional order passed by this Court as the petitioners have failed to deposit the amount in terms of those orders. The argument of the petitioners that the petitioners have carried the

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matter in appeal before the Division Bench against the order requiring the petitioners to deposit the amount, does not take the matter any further. There is no order so far by the Division Bench either extending the time for deposit or excusing the petitioners from depositing such amount. As aforesaid, this Court on the earlier occasion has already passed a self operative conditional order. On account of non compliance of the conditional order, the petition will have to be treated as dismissed.

2. Counsel appearing for the respondents submits that in fact the petitioners consented for passing such conditional order before my Predecessor. It is not necessary for me to enter into that controversy.

(A.M.KHANWILKAR, J.)